

THE **STAGE CENSOR**

AN HISTORICAL SKETCH : 1644-1907

By
G. M. G.

Risqué moments

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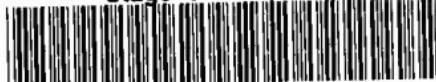


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LORD CHANCELLOR RICH.

From a drawing by Holbein at Windsor Castle,
engraved by Bartolozzi.

Frontispiece.

THE STAGE CENSOR

AN HISTORICAL SKETCH : 1544—1907

By

G. M. G.

RISUM TENEATIS

*With 16 Illustrations from photographs of rare prints,
and contemporary portraits, by Marie Léon*

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THE STAGE CENSOR

AN HISTORICAL SKETCH: 1552-1907

CHAPTER I

THE TUDOR CENSOR

If poets and players are to be restrained, let them be restrained as other subjects are, by the known laws of their country.—**LORD CHESTERFIELD.**

CONSIDERED from the historical point of view, there is no greater curiosity than the Stage Censor ; and as the present moment threatens destruction to this venerable monument of Tudor antiquity, it will be opportune to recall some incidents of its history.

That history is extensive, varied, and seldom lacking in humour. It may be said to begin actively in 1552, when a poet

was thrown into the Tower for the offence of “making playes”; and it continues to exhibit, for three hundred and fifty years, the conscientious efforts made by the Lord Chamberlain and his equivalents to protect the politics, the morals, and the manners of the English nation. In fact, at times the Censorial conscience seems to have somewhat outstripped the claims of individual liberty. For instance, we find Charles I. with his own royal pencil, marking the words *faith* and *slight* to be allowed in a play under examination, as being asseverations and not oaths; and a recent Censor adjudicated on a similarly nice distinction when he detected, in one of Mr. W. S. Gilbert’s plays, the profane phrase “Chambers fit for a Lord,” and duly altered the same into “Chambers fit for a Heaven.”

This relation to individual liberty is not the least striking of the historical aspects of the Censorship. For, the moment that we step into the present office of the Censor,

or look back into that of his immediate predecessor, the Master of the Revels, we are stepping, for good or for ill, completely outside the British Constitution. That fact invests the record of the three hundred and fifty years of our Censor's activities among dramatists, actors, managers, nay, even among the very property-makers and stage-carpenters, with a freshness and variety entirely its own. To the Englishman a district ruled by an individual and arbitrary power is an alien land ; to find such a province close to his own hearth-stone comes as something of a shock ; to explore it is nothing less than an adventure.

It may be said at once that the individual powers of the early "Censors" completely ignore the rights which freeborn Britons fondly imagine to have been theirs since the days of King John and Magna Charta. Thus, if an Elizabethan citizen chanced to be also a dramatist he was liable to instant imprisonment, without bail, trial, or appeal, at the hands of the stage censor,

then known as the Master of the Revels. If the Jacobean poet sent a play, as “at his perill” he was bound to do, to the scholar and gentleman who filled that office under Charles I, the result might be such an entry in the official diary as the following :

“[1642. June]. Received of Mr. Kirke, for a new play, which I burnte for the ribaldry and offense that was in it, £2.”

Probably the play richly deserved its fate ; but it is a little startling to find one individual’s property, and perchance his chief means of livelihood, burnt up at the sole discretion of another individual, and, moreover, a fee of £2 charged him for the operation.

The English dramatic censor may be said to have made his first individual appearance in 1544, with the institution, by Henry VIII, of Sir Thomas Carden, or Carwarden, as “Magister jocorum revel-

lorum et mascorum." This *Magister* was a court official in charge of the king's revels, whose duties have been defined as "promoting mirth, and at the same time preserving order." His activities would doubtless be directed to the control of the king's own players, a company of actors being, at that time, a definite part of the royal household; and his annual fee was £10. A royal proclamation of the succeeding reign, that of the boy king Edward VI, distinguishes these king's players from "the common plaiers of interludes and plaies"; and expressly names the Privy Council as the authority prohibiting, for two months, the performance of any stage play, forasmuch as the plays then enacted did for the most part tend "to sedicion and contempryng of sundery good orders and lawes, whereupon are growen and daily are like to growe and ensue, muche disquiet, division, tumultes and uproares in this realme." This action by the Privy Council, dated in

August 1547, is memorable as foreshadowing other dramatic regulations on their part, regulations which prove that body to have shared or supervised the work of dramatic censorship with the Master of the Revels himself. Thus it appears from the following entry that the power afterwards given to the Master of Revels to imprison dramatists at his own discretion was, in Edward's reign, discharged by the Privy Council, such a punishment being thus recorded on the Council Register :

“At Greenwich 10th June, 1552.
It was this day ordred, That the
Lord Threasourer should sende for the
cowper which is in the Tower for mak-
ing of playes, and to delyver hym.”

No records are available of this poet, or of the plays which had won for him the sometimes honourable distinction of imprisonment in the Tower ; but his lodgement there surely indicates some such

political offence as that of the seditious actions prohibited five years before by royal proclamation. Edward VI, we may note, had a regular establishment of players and singers, whose salaries may yet be read in the official documents of the time.

It is evident from the above-quoted temporary prohibition of all plays by the Privy Council, that Edward's advisers suspected the power of the stage for sedition. In the year following the release of the imprisoned poet, Mary Tudor was Queen, and her stern hand fell quickly on the stage, through the Privy Council and also through the ominous Star Chamber. Thus the Privy Council scented the coming performance of a stage play at Hatfield Bradock in Essex, in 1556, and directed Lord Rich to "stay the same and to examine who should be the players, what the effect of the play is, with such other circumstances as he shall think meet, and to signify the same hither." Lord Rich seems to have discharged his censorial

duty with great promptness and moderation, for five days later we have the Privy Council addressing a letter of thanks to his Lordship “for his travel in staying the stage play ; and requiring him for that he knoweth the players to be honest house-holders and quiet persons to set them again at liberty, and to have special care to stop the like occasions of assembling the people hereafter.” Here again the action of the “Censor” was obviously political. A further letter was written by the Privy Council, in July of the same year, to Lord Rich, in which that body appears, in the matter of stage regulation, to be merely the servant of the Star Chamber. This instance of the active exercise of dramatic supervision by the Star Chamber deserves quotation in full : The Council signifies his Lordship “that order was given in the Star Chamber openly to the justices of the peace of every shire, this last term, that they should suffer no players, whatsoever the matter was, to

play, especially this summer, which order his Lordship is willed to observe, and to cause them that shall enterprise the contrary to be punished." This was a drastic means of obviating any more examinations "what the effect of the play is." Earlier in the same year we find the Privy Council thanking John Fuller, Mayor of Canterbury, for his diligence in imprisoning players, and commanding him to keep them in ward till further orders from the Council ; and in the mean time "their lewd play-book is committed to the consideration of the King's and Queen's Majesty's learned councils, who are willed to declare what the same waieth unto in the law." On August 11 the "lewd play-book," and the "examinations also of the players thereof," were returned to the mayor and aldermen of the said city, with instructions to proceed "against the players forthwith" according to the law. The word "lewd" here, and in the following case, is clearly to be understood in the

sixteenth-century meaning of generally objectionable and in this case presumably, as seditious.

The Mayor and the poor players of Canterbury seem to have submitted quietly enough to this dramatic inquisition ; but the Privy Council had more trouble in the following summer with the sturdy citizens of London. On June 4, 1557, we find their Lordships writing to the Lord Mayor : “ That where [as] there were yesterday certain *naughty plays* played in London (as the Lords here are informed),” the Lord Mayor is “ willed both to make search for the said players ; and having found them, to send them to the Commissioners for Religion to be further ordered. And also to take order, that no play be made henceforth within the city, except the same be first seen and allowed, and the players authorised.” But so little did the Lord Mayor attend to these injunctions that three months later, on September 5, the Privy Council were constrained to command that “ some of

his officers do forthwith repair to the *Boar's Head*, without Aldgate, where, the Lords are informed, a lewd play called *A Sackfull of News*, shall be played this day : The players thereof he is willed to apprehend and to commit to ward, until he shall hear further from hence ; and to take their play-book from them, and to send the same hither."

The unlucky players must have been arrested on the same day, for on the day following the Privy Council address a second letter to the Lord Mayor, " willing him to set at liberty the players by him apprehended by order from hence yesterday, and to give them and all other players throughout the city in commandment and charge not to play any plays, but between the feasts of All Saints and Shrovetide, and then only such as are seen and allowed by the Ordinary."

Thus, amid the unsettled politics of Edward VI and Mary, and within the space of ten years, no less than five forms of

authority, appear to have been employed against plays and players. First and foremost the Privy Council acted as examiner of plays, as jailor for players, and as licenser of playhouses ; but these powers might be exercised by such a deputy as Lord Rich ; or, again, their Lordships' powers might be derived from the terrible Star Chamber ; or delegated, in the matters at least of examining the play-books, and " ordering " the players, to *the Ordinary*, and the *Commissioners for Religion*. The actual appearance of the latter body as Dramatic Censors anticipates Lord Chesterfield's ironic suggestion, made two hundred years later, when political fears moved a tottering Minister to institute the present Censorship, that if such control were honestly intended for the good of public taste and morals, and not as a party gag, then the most suitable persons to administer the new Act would be a joint committee of the Maids of Honour and Bishops, the first as being the best judges

of wit and modesty, and the latter of morality and religion.

It is instructive to note in this connection that a few years after the Privy Council of 1557 were referring London's "naughty" players to the ordering of the Commissioners of Religion, the Book of the Universal Kirk of Scotland records that the General Assembly, sitting at Edinburgh in 1575, first prohibited plays from the canonical Scriptures, and secondly ordered that "comedies, tragedies, and otheris profaine playes as are not maid upon authentick pairtes of y^e Scriptures may be considerit before they be exponit publictlie." This order was addressed to "sick as sitts upon y^e policie." In view of these censorial activities of the Kirk, a company of players desirous of acting at Perth in 1589, duly "applied to the consistory of the Church for a licence; showing a copy of their play: And they were accordingly permitted to act the play, on condition, however, that no swearing, banning, nor any scurrility shall be spoken,

which would be a scandal to religion and an evil example to others." The Kirk apparently retained the monopoly of "banning" in its own hands. In the following year the Kirk came into collision with their king, afterwards James I of England, on this very point of prohibiting stage plays. At the end of 1599 an English company of comedians were licensed by James to play at Edinburgh. Promptly the ministers, offended with such liberty, fulminated from their pulpits; and furthermore "in their sessions made an Act" prohibiting people to resort unto the English comedies, "under pain of Church censures." The King retorted by calling the sessions before his Council, and ordaining them to annul their Act, and not to restrain the people from going to the said comedies. The ministers had to withdraw, their submission being published on the following day; and all that pleased were free to repair to the comedians' performance, to the "great offence," it is said, of the ministers, and

doubtless to the equal satisfaction of the good people of Edinburgh. The licenser in this case, it may be noted, is stated to have been the king himself.

Leaving these various early authorities, we come, in Elizabeth's reign, to the far simpler system still in force, that of arbitrary power administered without appeal, by a single official. Such an instrument must have been entirely to Elizabeth's autocratic taste; but the full perfection of the tool does not seem to have been achieved until the twenty-fourth year of her reign. Of the first Elizabethan Master of the Revels, Sir Thomas Benger, whose patent passed the great seal in January 1561, we hear but little. The oldest account book of the Office of Revels available to Malone was that of the tenth year of Benger's administration; and among the many delightful entries therein, only one relates, and that obscurely, to the examination of the plays performed before the Queen. By this entry we learn that after

certain six plays had been “ chosen owte of many and founde to be the best that then were to be had, the same also being often perused and necessarily corrected and amended by all thafforsaide officers . . . ”— then the rich apparel of the players and the “ apt houses made of canvas ” painted for their scenes, together with sundry needful properties, were provided. In a note to this passage Malone states: “ It appears from subsequent accounts that several plays were rehearsed before the Master of the Revels, at St. John’s or Whitehall, previous to exhibition before the Queen, and out of these he selected such as he thought best to be performed before her Majesty.” So Elizabeth’s first Master examined not only the “ book ” but also the action, mindful, doubtless, of the fact neatly expressed by the old Thames waterman and poet, John Taylor :

For plays are good, or bad, as they are us’d ;
And best inventions often are abus’d.

In the “ Book of Charges growen within

the Office of the Queen's Ma^{ties} Revels," for 1572-1573, we find one Thomas Blagrave disbursing money; and in the next Book of Charges, that for October 1573 to March 1574, it is stated that during those four months "Thomas Blagrave esquier served therein as Master, according to her Ma^{ts} pleasure to him signifying by the Right honourable L. Chamberlaine," etc. This appears to be the first appearance of the Lord Chamberlain as administrator of stage matters. The preface of this account book mentions "Workes donne and attendance geven . . . for calling together of sundry players, and for perusing, fitt-
ing, and reforming their matters otherwise not convenient to be shonen before her Ma^{tie}." In a subsequent account book we get the first reference to the Censor's fees: "Thomas Blagrave esquire 26 November 1574 for horsehyer and charges by the waye at Wynsor, etc. and for perusing and reforming of Farrants playe, xl. iiis. vid." Farrant's play seems to have occasioned

further doubts, for a few days later comes this item : “ 5th December 1574, Horsehyer to Hampton Coorte to confer with my L. Chamberlayne, the L. Hawarde, and Mr. Knevett upon certayne devices, and to peruse Farrants playe there again, etc., xxvijs. viijd.” These entries confuse the fee and travelling expenses ; but ten days later we get the fee alone :

“ 14 December.

“ Perusing and Reforming of plaies. The expences and charges where my L. Chamberlains players did show The History of Phaedrastus, and Phigon and Lucia, together amounteth unto ixs. iiijd.”

Later in the same account book comes, according to Malone, this mysterious entry :

“ To —— for his paynes in perusing and reforming of playes sundry times as neede required for her Ma^{tie} lyking xls.” Possibly we have here the system, definitely

sanctioned in the next Mastership, of examination by deputy.

To the year 1574 belongs the Royal Licence, a copy of which is preserved among the manuscripts in the British Museum, according permission to five servants of the Earl of Leicester to perform all kinds of stage plays in any part of England. This document orders all justices, mayors, etc., to permit and suffer, without any hindrance or molestation, the five actors therein named, to play comedies, tragedies, interludes, stage plays, and such other like, "as well for the recreation of our lovinge subjects as for our solace and pleasure when we shall thinke good to see them"; and this permission was to extend, within and without all cities and boroughs, "throughoute our realme of England." The licence, however, expressly states this following condition: "*provyded that the said comedies, tragedies, enterludes, and stageplayes be by the Master of our Revells for the tyme being before seen and allowed.*"

This provision appears to be the first documentary evidence for the extension of the powers of the Court Master of the Revels to license plays for performances *throughout the realm of England*. It may be noted that there is no evidence that the licensing powers of the Master of the Revels in the sixteenth century extended to the publication of plays. Under the injunctions of 1559 "pamphlets, playes, and ballettes" were to be licensed before printing by three Commissioners for Religion; and in 1586 a Star Chamber decree required a licence by the archbishop or bishop.

The next Master named in Malone's extracts from the Office Account Book is Edmund Tilney, who, according to the patent records, entered on his duties in July 1579. In the following year Puritan fanatics made a successful onslaught on the temporary theatres, or players' scaffoldings, within the City of London; but the theatre in Blackfriars being without the City's "liberties" (ironically so called in this

connection), escaped their fury. We do not hear that Tilney took any part in protecting the London players ; although, as we have seen, the licensing powers of his office appear to have extended to plays performed in all parts of England, irrespective of the presence of the Court.

The Revels Account Book for this same year notes items of candles, sconces, torches, billets, coals, rushes, etc., brought into "the Master's lodgings for the rehearsall of sondrye playes to make choyse of dyvers of them for her Ma^{tie}." Hence it appears that the examination of plays included rehearsals of the same, at the Master's lodging. The entry is followed by a further reference to the "chardges" of Edmund Tylney esquier "for examynyng and rehearsinge of dyvers playes and choise makinge of ten of them" to be performed before Elizabeth at Christmas, Twelfetide, Candlemas, and Shrovetide. In the Account Book for 1580-1581 we get Tylney's daily salary : "The Maister of the Revells

as well for his attendaunces at the tymes aforesaid as also for the choise making of playes at iiijs. the daie from All hollan Eve untill Ashe Wednesdaie being cx daies xxii li." In the Account Book of 1582 the examination of plays appears prominently in the title : " Christmas Tweltide and Shrovetide and making choise of playes " ; the charges, it is stated, included the "*re-forming*" of playes ; and a further duty of the Master's office appears, viz., that of the selection of a company of actors for the Queen. The entry recording this latter runs as follows : " Edmund Tylney Esquire, M^r of the office being sent for to the Courte by letter from Mr. Secretary [Walsingham] dated the xth Marche 1582 [1583] to choose owte a companie of Players for her Ma^{tie} for money by him laid out, viz., For horse hire to the court and back agayne xs. For his owne chardges, his mens, and horse meate there ij daies—xs."

This institution of a body of the Queen's players was preceded by the most amazing

of all the recorded prerogatives of the English Stage Censor ; for in 1581 a patent conferred powers on “ Our Wellbeloved Edmunde Tylney Esquire, Master of the Revells,” which defy every canon of the British Constitution. In this patent Tylney was first authorised to impress, for the service of the office of the Revels, any painters, joiners, tailors, glaisers, labourers, etc., whatsoever, that he or his assigns should think necessary ; and to requisition any necessary stuff, coal, merchandise, timber, bricks, iron, etc., etc. ; together with all requisite transport by land or water—the penalty being imprisonment by Tylney, or his “ sufficient deputie,” “ without bail or mainprize,” and until “ such time as the said Edmund or his deputy shall think the time of his or their imprisonment to be punishment sufficient.” Further, neither Tylney nor his deputy was to be liable for any claims brought against them by such delinquents. Furthermore, not content with destroying trial by jury, and annulling

Magna Charta, this Elizabethan patent proceeds to order that if any person be arrested by writ, going or coming to the Office of Revels, Tylney shall have power to set them at liberty “during the time of our said workes.” And, as if this were not enough, the law of contract is next assaulted, since any person pressed for the Office of the Revels is to be held free of any previous contract to finish any work to time, so that he resume his broken contract on leaving the said office.

So much for Tylney’s powers over the persons and liberties of the unlucky Elizabethan craftsmen and mechanics. Incredible as it may seem, he was accorded precisely the same powers over the persons of dramatists and actors. As the document is probably unique in the history of Englishmen, the passage dealing with the latter is here given in full. The Crown does “by these presents authorise and command our s^d Servant Edmunde Tilney, maister of our said Revells, by himself or his sufficient

Deputie or Deputies, to warne commande and appoint . . . all and every plaier or plaiers, with their playmakers, either belonging to any Nobleman or otherwise, bearinge the Name or Names of usinge the facultie of Playmakers, or Plaiers of Comedies, Trajedies, Enterludes, or what other showes soever, from tyme to tyme and at all tymes, to appear before him with all such Plaies, Trajedies, Comedies, or Showes as they shall have in readiness, or meane to sett forth, and them to present or recite before our said Servant, or his sufficient Deputie, whom wee ordeyne appoinete and authorise by these presentes of all such Showes, Plaies, Plaiers, and Playmakers, together with all their playinge places to order and reforme, auctorise and put downe, as shall be thought meete or unmeete unto himselfe or his said Deputie in that behalfe . . ." And, in case any of them " whatsoever they be," will obstinately refuse, upon warning, to obey, it shall be " lawful to the said Edmunde, or his sufficient Deputie, to

attache the partie or parties so offending, and him or them to commit to Warde, to remain without bail or mainprize, untill such time as the said Edmund Tylney or his sufficient Deputie shall think the time of his or their imprisonment sufficient for his or their said offence in that behalfe ; and that done to enlarge him or them so being imprisoned at their plaine Libertie," without any penalty to be borne by Tylney or his Deputie, "any Acte, Statute, Ordinance, or Provision, heretofore had or made to the contrarie hereof in any wise notwithstanding." The persons addressed were to assist the said Edmund Tylney or his deputy, in the execution of this authority, at their "uttermost perills."

The powers of the Privy Council, meanwhile, and the attempted injunctions of the Lord Mayor, were running concurrently with those of the Master of the Revels, so straightly was the dramatic art "ordered" in the days of Elizabeth.

The tone of the City, as represented by the chief magistrate, was distinctly hostile to playhouses; that of Elizabeth's enlightened Court was of course as distinctly in favour of the drama; and the Privy Council stood between the two, inclining somewhat on the side of the City, in a dislike of too frequent opportunities for the gathering of possibly seditious, or plague-infected, crowds. The records of the respective dealings of the Council and the citizens with the poor players are extremely instructive; but Tilney's letters-patent operated powerfully to protect the theatre, and we find my Lord Mayor even reduced to endeavouring to pay him "an Anuytie" as an inducement to restrain plays in the City. In 1559 the Privy Council Licensing Orders culminated in a proclamation forbidding any theatrical performance in towns, unless licensed by the Mayor; or in the country, unless licensed by the Lord Lieutenant or two Justices of the Peace. In 1579 the Council

directed the Lord Mayor to allow no plays to be acted in Lent ; and two years earlier the same body writes to the Justices of Surrey and Middlesex enforcing a previous order that no plays be permitted in those counties on Sundays. In 1577 the Privy Council licenses an Italian company to play in the City of London. In 1574 the Council appears as the supporter of liberty, desiring Lord Mayor Hawes “to advertise their lordships what causes he hath to restrain plays ; to the intent their lordships may the better answer such as desire liberty for the same ” ; and again, as the protector of poor players, in their letter of July in the same year, directing the Lord Mayor “to admit the comedy players within the City of London ; and to be otherwise favourably used.”

In the autumn of 1574 the citizens of London distinctly arrogated to themselves the right to license plays, an Act of Common Council being passed “ regulating performances, and requiring all companies and

playing places to be licensed by the corporation, and all plays to be allowed by persons appointed them for the purpose." At one time, indeed, the Common Council ventured so far as to prohibit all plays in London ; whereupon the Privy Council intervened.

Again the Privy Council regulated the closing of the theatres as a precaution in the frequent times of plague. We may also note an order sent to the Lord Mayor, and the Justices of both Surrey and Middlesex, by this august body, to prohibit stage plays on Thursdays, that day being reserved for the bear-baitings carried on by the royal bear-ward, and other like pastimes " which are maintained for her Majesty's pleasure." Even in 1582 the Privy Council appear to have included in their rights the authorising of appointments for examining plays, at least for the City, Tylney's comprehensive licence of the preceding year notwithstanding. The passage occurs in a letter requiring the Lord Mayor to revoke

a late prohibition of plays, on certain conditions, including the following :

“ So that care be had that their comedies and interludes be looked into, and that those which do contain matter that may breed corruption of manners and conversation among the people be forbidden. Whereunto their lordships wish there may be appointed some fit persons, who may consider and allow of such plays only as be fit to yield honest recreation and no example of evil.”

More striking even than this delegation of censorial authority is the action, in 1589, of the Star Chamber. On November 6 the Lord Mayor had written to Lord Burleigh that he had “ stayed ” certain plays within the City, “ in that Mr. Tilney did utterly mislike the same.” Six days later the Privy Council record a letter to the Archbishop of Canterbury, in which their lordships desire him to appoint “ some fytt

person well learned in Divinity," to join with the Master of the Revels, and one other to be nominated by the Lord Mayor, these three being desired "joyntly with some spedē to view and consider of such comedyes and tragedyes as are and shall be publickly played by the companies of players in and aboute the Cyttie of London, and they to give allowance of suche as they shall thincke meete to be plaied and to forbydd the rest." The special offence to be corrected by this committee of three was that the players, in plays "daylie exercised and presented publickly in and about the Cyttie of London," did take upon them "without judgement and decorum to handle matters of Divinitye and State." In a letter to the Master of the Revels requiring him to join with the nominees of the Archbishop and the Lord Mayor (who are to be "men of learning and judgment") the Privy Council thus minutely define the duties of the trio :—

Tylney is "to call before them the

severall companies of players (whose seruauntes soever they be) and to require them by authoritie hereof to delyver unto them their bookeſ, that they may consider of the matters of their comedyes and tragedyes and thereuppon to ſtryke oute or reform ſuche partes and matters as they ſhall fynd unfytt and undecent to be handled in playes both for Divinitie and State, commanding the ſaid companies of players in Her Maſtēſ name that they forebeare to preſent and playe publicky anie comedy or tragedy other than ſuch as they three ſhall have ſeen and allowed which, if they ſhall not obſerve they ſhall then knowe from their lordſhip that they ſhall be not only ſeverely puniſhed, but made incapable of the exerciſe of their profeſſion . . . for ever hereaſter."

In 1596 the Lord Mayor again banished players, and we find Nash writing : " The Players are piteouſly perſecuted by the Lord Mayor and Aldermen."

In 1600 the Privy Council, according to

Chalmers, determined that two theatres only were sufficient for the “honest recreation” of the public, and wrote to this effect to the Lord Mayor and the magistrates of Surrey and Greenwich; and in the following year reinforced their order. These measures appear to have been intended to obviate political disorders liable to result from “the inordinate resort and concourse of dissolute and idle people daily unto publick stage plaies.” The restriction to two houses amounted of course to a monopoly on their part; a monopoly angrily referred to by Ben Jonson in his *Poetaster*, performed in 1607. The poet’s sarcasm, however, it is said, did but ultimately lead to severer injunctions from their lordships.

With such drastic measures by the Privy Council, the ‘persecutions,’ of the Lord-Mayor, and Edmund Tylney’s triumphant prerogative to irresponsible power, we may take leave of the Elizabethan censor. Truly the “spacious times of great Elizabeth”

afforded elbow-room to that official, when licensing him, on the strength of what seemed “meete or unmeete unto himself,” to clap any poet into prison, without bail, and for so long a time as he might think fit, and with an entire disregard of magistrates, evidence, juries, constables, judges, or other accustomed engines of the English law.



PHILIP MASSINGER.

PHILIP MASSINGER.

From an engraving by C. Grignion.

CHAPTER II

UNDER THE STUARTS

. . . Purge their parts, as I have the booke. And I hope every hearer and player will thinke that I have done God good servise, and the quality no wrong ; who hath no greater enemies than oaths, prophaneness, and publique ribaldry.—MS. INSTRUCTIONS TO A PROMPTER, FROM THE STAGE CENSOR OF 1633.

EDMUND TYLNEY continued to exercise his prerogatives over the liberties and properties of dramatists, actors, stage mechanics, and all other appurtenances of the theatre, until his death in 1610. The post of Master of the Revels was now so valuable that reversions were granted during the lifetime of the holder ; James I. during Tylney's period of office, making such a reversionary grant to Sir George Buc. Later, a gentleman of the Privy Chamber, Sir John Astley, obtained the reversion to take place on the death of

Sir George ; and in 1621 Ben Jonson obtained a double reversion, securing the promise of the place after the deaths of Buc and Astley. A "mansion house" had been accorded to Tylney by the patent installing him in office, this house apparently providing lodgings for himself, as well as an office for the Revels ; but whether this house, which was within the "precincte of St. Johnes," continued to be part of the emoluments of the post does not appear. It is, however, abundantly evident that, by the beginning of the seventeenth century, the Mastership was an office eagerly sought after.

With all his faults, James I showed himself to be an enlightened supporter of the drama. We have seen his liberal action in protecting the comedians of Edinburgh against the tyrannical oppression of the Kirk ; and in that famous licence to the Globe Company, granted in the first year of his reign, in which Shakespeare's name appears as one of the licensees, freedom to

play any comedy, tragedy, pastoral, and such-like other, is accorded, with no condition as to any previous examination of the plays. The omission is memorable, and has preserved James from the irony of having committed Shakespeare to appear before his Majesty's Master of the Revels, in order to have his plays reformed as might seem "meete or unmeete" to that functionary. No incidents of any interest have come down to us concerning the administration of the Revels by Sir George Buc and Sir John Astley, save one reference to the exercise of the Press licence by the former; and Ben Jonson does not appear as ever actually holding the post. But in 1623 the reins of office were assumed by the most notable of all our early censors, Sir Henry Herbert; and as Sir Henry kept a chatty office-book, discovered a hundred years ago, mouldering away in an ancient chest, we have ample and very entertaining records of the fifty years of his administration.

In all the long list of English censors, Herbert's figure stands distinguished as the man of breeding, as the accomplished courtier and scholar, as Member of Parliament, and last, but not least, as the brother of that "divine poet," George Herbert. When but twenty-four years old, Herbert was sent to Paris to arrange for the reception, as Ambassador, of his brother, Lord Herbert of Cherbury ; and a few years later he was knighted, and made Master of the Revels. The powers he claimed for his office included the licensing of plays, of books, of theatres, and of every kind of public entertainment, from exhibitions of elephants to demonstrations by quack doctors ; he seems to have asserted some control over public games, as fencing, billiards, and ninepins ; and the Court plays were, of course, under his power. His fees were £2 for every new, and £1 for every revived, play ; a box at each theatre ; for some years two benefit performances yearly from the King's company ; and £1

a week allowed for lodging. Sir Henry, as became his race, proved his courage in more than one duel ; and was, writes his brother, Lord Herbert, “ no less dexterous in the ways of the Court, as having gotten much by it.” Upright, and careful even to an over-niceness of conscience in the discharge of his censorial duties, Sir Henry, it is to be feared, erred somewhat in having also “ gotten much ” out of his Office of the Revels.

The first entry of interest in Sir Henry Herbert’s official diary, as regards licensing, is that concerning a play acted in 1623, and called *Come, See a Wonder*, which play was written “ for a company of strangers ” ; and was, observes Sir Henry, “ licensed without his hand to it because they (*i.e.* this company of strangers) were none of the *four* companies.” Is it possible that the apparently overlapping authorities of the Privy Council and the Master of the Revels, of which the documents of Elizabeth’s reign give such abundant evidence,

were owing to a restriction of the latter's authority to certain companies of players, the words of Tylney's licence notwithstanding? In August 1623 we find Sir Henry renewing what was presumably the first licence on Shakespeare's *Winter's Tale*. The date of the entry is, of course, seven years after Shakespeare's death; and is the year marked by the first publication of his plays in a collected edition.

“For the king's players. An olde playe called *Winter's Tale*, formerly allowed of by Sir George Bucke, and lykewyse by mee on Mr. Hemming's his worde that there was nothing profane added or reformed, thogh the allowed booke was missinge, and therefore I returned it without fee, this 19 of August, 1623.”

The following year is memorable for the total prohibition of a political play by the poet Thomas Middleton, that grave and lofty tragic genius, whom Mr. Swinburne

places “beside all but the greatest of his age.” Middleton had ventured in his play, *The Game at Chesse*, to voice popular satisfaction at the failure of the Spanish marriage. The play drew immense houses, and made unprecedented receipts for nine days. Then the Spanish Ambassador protested, and the Privy Council intervened, understanding that the persons of the King of Spain, the Spanish Ambassador, and others were brought on the stage “in a rude and dishonourable fashion.” The players declared that the play had been duly licensed by Sir Henry Herbert “under his own hand, and subscribed in the last page of the said book,” and that they added or varied nothing at all. This plea does not seem to have availed them, for they were bound in £300, and for a short time forbidden altogether to play; and a warrant being issued to apprehend Middleton, the poet was, according to one account, committed to prison. This prohibited play, it may be added, has been described by Mr.

Swinburne as a most complete and exquisite work of artistic ingenuity and dexterity, a play animated by a “depth of civic seriousness,” by an earnest “ardour and devotion to the old cause of the old country,” and by a “solid fervour of enthusiasm and indignation.”

In 1624 the Master seems to have commuted his fee for a gift “in kind”: an old play, *The Honest Man's Fortune*, “was re-allowed by mee at Mr. Taylor's intreaty and on condition to give mee a booke [*The Arcadia*.]” Two years later comes note of a yet more dubious fee: “from Mr. Hemmings for a courtesie done him about their Blackfriars hous, £3.” Hemmings' company, by the way, claimed a monopoly of playing Shakespeare's plays, and paid Sir Henry £5, on his forbidding a rival company that privilege. In 1630 we find a statement of Sir Henry's views as to fees: “I did refuse to allow of a play of Messingers because it did contain dangerous [political] matter. I had my fee not-

withstandinge, which belongs to me for reading itt over, and ought to be brought always with the booke." Among other fees claimed by Herbert was an annual fee, from the musicians of Shakespeare's company, for licence to perform in the theatre. Herbert also had, for five years, from the King's company, "with a generall consent and alacritye," two benefit nights each year; but at the end of the five years the King's company agreed to pay, in lieu of the benefits, £10 each Christmas and Mid-summer, which sums were regularly paid till the outbreak of the civil wars. To these emoluments occasional "presents" were clearly added, as witness the entry of the receipt of £3 10s. from the King's company, "for a gratuity for their liberty gained unto them of playinge upon the cessation of the plague." In 1631 Sir Henry was, it is interesting to note, a part proprietor of the theatre in Salisbury Court.

Herbert, like his predecessor, assumed

the powers of a licenser of books, thus giving ground for Lord Chesterfield's warnings, delivered a hundred years later, when Walpole instituted our present Censorship, that suppression of the liberty of the stage was but a step to stifling the liberty of the press. The book in question was the first work of the poet Cowley, and Herbert got 10s. from Seyle for licensing the boy's "small peeces of verses." The offence of opprobriously introducing the figure of the Prime Minister himself on the stage, which was the final straw for Walpole, is also curiously foreshadowed in Sir Henry's diary: "In the play of the *Ball* [written by Shirley] there were divers personated so naturally, both of lords and others in the Court, that I took it ill." A promise was given that the poet would not renew his offence; and the play, being expurgated of these personalities, was duly licensed; but Sir Henry concludes: "The first that offends in this kind of poets or players shall be sure of publique punishment."



JAMES SHIRLEY.

From a contemporary engraving by Gayward,
from a painting by Phenik.

The poets of the day, however, seem to have clung to personal banter, for a few months later Inigo Jones, surveyor of the king's works, appears as complaining that a part in *The Tale of the Tubb* was a "personal injury unto him"; which part, accordingly, was struck out, and also "the motion of the tubb," by command from the Lord Chamberlain. A similar complaint, concerning a play called *The City Shuffler*, was made by one Mr. Sewster, whereupon Herbert "stayed the play" till the company had given the aggrieved gentleman satisfaction, "which was done the next day, and under his hande he did certifie mee that he was satisfyed."

When Sir Henry finds a play giving him much delight for its freedom "from oaths, prophaness or obsceanes"—it must have been a pleasure then rarely enjoyed—he enters his approval solemnly, and as knowing it will encourage the author to pursue "this beneficial and cleanly way of poetry"; and "for example to all poetts

that shall write after the date hereof." And how ardently he endeavoured to purify the Jacobean stage (and to safeguard his own fees), together with his promptness in returning plays to the players, appears excellently from the following incident, dated 1633. On Friday morning, October 19, he had sent a warrant to the king's players to suppress, for that afternoon, a play complained of for containing "foule and offensive matters." On the Saturday the book was brought him, and at Lord Holland's request he returned it to the players on the Monday morning following, "purged of oaths prophaness and ribaldrye." This play being an old one, Herbert comments on the need that the Master of the Revels "bee carefull of their ould revived playes as of their new"; and adds: "All ould plays ought to bee brought to the Master of the Revells and have his allowance to them, for which he should have his fee, since they may be full of offensive things against Church and State; y^e

rather that in former times the poets tooke greater liberty than is allowed them by mee." Herbert further says : " The players ought not to study their parts till I have allowed the booke " ; and, conscious of the difficulty of keeping the actors to the book as " purgd," he directs the prompter, in a note subscribed to the above-mentioned play, to " purge their parts, as I have the booke. And I hope every hearer and player will thinke that I have done God good servise, and the quality no wronge ; who hath no greater enemies than oaths prophaneness and publique ribaldry, wh^{ch} for the future I doe absolutely forbid to bee presented to mee in any play booke, as you will answer it at your perill." But, alas, even Sir Henry's honest efforts could not cleanse the Augean stables of Restoration comedy.

Strenuous and pious as those efforts were, the diary is sometimes lacking in a sense of humour, for which we may be grateful as having preserved for us the following

delightful record: “Received of Biston for an ould play . . . £3. Rec^d of him for some alterations in it, £1. Meetinge with him at the ould exchange he gave my wife a payre of gloves, that cost him at least twenty shillings.” A following entry brings back on to the scene an Elizabethan authority for the chastising of the poor player, that of the Archbishop of Canterbury, and also of the “High Commission Court”; but with no details to elucidate the reference.

The year 1634 is memorable in Herbert’s diary for showing Charles I himself as Censor: “This morning being the 9th January 1633 [1634], the kinge was pleased to call me into his withdrawinge chamber to the windowe, wher he went over all that I had croste in D’Avenant’s play-booke, and allowing of *faith* and *slight* to be asseverations only and no oathes markt them to stande, and some other few things, but in the greater part allowed of my reformatiōns.” Sir Henry then inserts on his own

part a quaint conscience clause : “ The kinge is pleased to take *faith, death, slight,* for asseverations and no oaths, to which I doe humbly submit as my master’s judgment ; but under favour conceive them to be oathes, and enter them here to declare my opinion and submission.” The diary also shows Charles I not only as his own examiner of plays, but also as something of a playwright himself ; for Herbert notes that “ *The Gamester* was acted at Court, made by Shirley, out of a plot of the king’s, given him by mee.” The authority of the Master of the Revels was admirably employed in the year following, for sending to the Marshalsea prison a broker who had sacrilegiously conveyed a church vestment for use by the players : on petition, submission, and acknowledgement of fault, “ I released him,” says Herbert, “ after one day’s imprisonment,” a light enough punishment for the offence. An entry for 1636, regarding the plague, is valuable as showing something of the relations between

the Master of the Revels and the Lord Chamberlain, since it appears that the latter sent his warrant for the suppression of all shows and plays to Sir Henry, who in his turn delivered his warrants to the “four companys of players.” A permission for players to resume performances, after plague, is entered, it may be noted, as from the king. But perhaps the most interesting of all the entries concerning Charles I is that relating to a passage in Massinger’s play, *The King and the Subject*. The king “readinge over the play at Newmarket set his marke upon the place with his owne hande, and in thes words : ‘This is too insolent and to bee changed.’” The passage was an open reference to arbitrary taxation and military government.

In 1640 there is a note that the Lord Chamberlain’s warrant committed one, William Beeston, to the Marshalsea for “playinge a play without license”; and of a prohibition, also on warrant, from the Lord Chamberlain, of the “Company of

the Cockpit's" playing, for three days. The play of the prohibited company had political allusions, and had been complained of to Herbert by the king, who received his Majesty's command to punish the offenders.

Comment would be superfluous on the last entry but one, before the outbreak of the Civil War, which runs as follows : "[1642, June]. Received of Mr. Kirke, for a new play, which I burnte for the ribaldry and offense that was in it, £2."

During the Puritan despotism all theatres were of course suppressed ; even to be present as a spectator at a play being made a criminal offence. But a slight glimmer of liberty appears under the dictatorship of Richard Cromwell, who in December 1658 ordered a report to be made on the nature of an "Opera" which Sir William D'Avenant had ventured to perform in Drury Lane, and "concerning the acting of stage plays." The poets and actors were to be sent for and the nature of the

work examined, and also the authority by which “the same is exposed to publick view.” On the same day, it may be noticed, an order was sent to the Lord Mayor, and to various magistrates for the suppression of the observance of *Christmas*; an order which shows our English Puritans to have been not far behind their New England brethren in America, who declared it to be a punishable offence for a woman to kiss her infant on the Sabbath day.

Twelve months later England had regained her sanity and freedom and Sir Henry Herbert was back again in his old office of Master of the Revels, but not to his old powers. The succeeding and last three years of his administration, viz. the period from 1660 to 1663, form not the least curious episode in the history of the English censorship. Briefly, those three years saw the practical abolition, by royal warrant, of the powers of the Master of the Revels; the transference of the censorship duties to, of all men, Sir William D'Avenant and

Tom Killigrew ; and the suppression of all London theatres, save the two houses owned by these Court favourites. The causes of Sir Henry's downfall lie probably a little in a certain avariciousness on his part in the matter of fees ; but chiefly in the fact that, in Isaac Walton's words, the Master of the Revels to Charles I was characterised by "a diligent wisdom with which God [had] blest him." The man whose conscience on the matter of oaths was so nice that it moved him to enter a personal protest against the retention by Charles I of the "asseverations" of *faith* and *slight* in a play-book, was little likely to be in accord with Charles II, in the matter of licensing Restoration comedies. That merry monarch ordained D'Avenant and Tom Killigrew, for the masters of his "revels" ; and the period of their dual authority is still notorious as that in which the English stage touched its lowest depth.

The patent to Killigrew and D'Avenant

and to institute two playhouses, with powers at their discretion of regulating charges to the public, salaries to the actors, and for the censorship of all plays therein acted. The latter clause may be quoted in full, as the last known document defining the duties of an English Censor of Plays until the modern office was instituted by Walpole's Act of Parliament in 1737: . . . "wee doe hereby by our authority royal strictly enjoine the said Thomas Killigrew and Sir W^m D'Avenant that they doe not at any time hereafter cause to be acted or represented any play, enterlude, opera, containing any matter of prophanation scurrility or obscenity: And wee doe further hereby authorize and command them the said Thomas Killigrew and Sir W^m Davenant to peruse all playes that have been formerly written, and to expunge all prophanesse and scurrility from the same before they be represented or acted." The patent further gave to Killigrew and D'Avenant a monopoly of the

stage for all London and Westminster, all other performances being therein prohibited "in regard of the extraordinary licentiousness that hath lately been used in things of this nature." Nothing short of Homeric laughter could be adequate to this picture of Tom Killigrew and William D'Avenant sitting down to "expunge" scurrility from other men's plays.

Herbert was not the man to acquiesce easily in having his forty-five years of authority, and fees, taken from him by a single stroke of Charles' pen; and for three years warrants, petitions, and law-suits raged briskly. To enumerate the temporary vicissitudes of authority, the claims and counterclaims of these years would be tedious and useless; though it may be noted that at the very last the staunch old Master of the Revels abated not a whit of his pretensions, actually putting forward a claim in 1663 to license "all plays, poems and ballards for the press," and suggesting that "all enter-

tainments at which music was performed, even extending to village wakes, should be liable to his fees." Also we may notice that the country now showed itself no less restive than the Court under Herbert's pious rule. In 1660 the Mayor of Maidstone disputed his claim to license plays in a provincial town ; and in 1663 Norwich followed suit. It appears that amid all these clamours the authority of the Lord Chamberlain stood firm ; for an order is on record from his lordship forbidding the performance of *The Maid's Tragedy*, a play by Beaumont and Fletcher. It was supposed that "the killing of the king in that play, while the tragical death of King Charles I was then so fresh in people's memory, was an object too horribly impious for public entertainment" ; or, according to an alternative theory, that the murder committed by the heroine Evadne offered "a dangerous example to other Evadnes then shining at Court in the same rank of royal distinction."

In 1661 an order of special interest emanated from the Lord Chamberlain, commanding all Mayors, Justices of the Peace, etc., throughout the kingdom, to examine all players, performers of shows, acrobats, etc., whether they "have a lycense from Sir Henry Herbert, Master of His M^{ys} Office of the Revells"; and that whatever other licence is shown, it be seized and sent to the Office of the Revels; and to suppress all such plays, shows, etc., until they be authorised by Sir Henry Herbert. Here the Lord Chamberlain appears as a very effectual power behind the Censor.

At last, in 1662, Sir Henry and Killigrew entered into formal articles of agreement by which "a firme amity" was concluded between them for life; various sums of money were assigned to Sir Henry, including dues for two years past from the king's and queen's players, at the rate of "for the new plaies 40s. a play, and for the old revived plaies at 20s. a play"; and Killigrew agreed to assist Herbert in the exe-

cution of the office of the Revels, whilst the latter was to assist Killigrew in the ordering of the said company of players. D'Avenant was expressly excluded from this agreement.

The autocrat of the stage had indeed fallen from his high estate when reduced to entering into a treaty of mutual assistance with a Groom of the Bedchamber ; and with this melancholy alliance, Sir Henry's long term of office practically closed ; for in the following year he leased out his post to two deputies, Hayward and Poyntz, and thenceforth his austere and upright figure, marred chiefly by an indisputable shadow of rapaciousness, disappears from the chronicles of dramatic licensing. The irresponsible authority of a man of "dilligent wisdom," and of nice conscience, a gentleman, a scholar, and a courtier, was evidently powerless to stem the licentiousness of the Restoration stage ; neither King nor Court were in the mood for plays "purg'd" by Sir Henry's

careful hand ; and new Irresponsibles were found in the pliant persons of Killigrew and D'Avenant. Under their official care the English stage plunged into that riot of debauchery known to students as the Restoration Drama.



THOMAS KILLIGREW.

From a contemporary engraving by W. Faithorne,
from the painting by Sheppard.

CHAPTER III

THE INSTITUTION OF THE MODERN CENSOR

When I speak against the Bill I must think I plead the cause of Wit, I plead the cause of Humour, I plead the cause of the British Stage, and of every gentleman of taste in the Kingdom.—**SPEECH BY LORD CHESTERFIELD AGAINST THE LICENSING ACT, 1737.**

IT was not long before Tom Killigrew, the licensed jester of the Court, and a proprietor of one of the only two theatres then permitted in London, himself succeeded to the post of Master of the Revels and Stage Censor. Killigrew was a man of courage—as witness his well-known observation to Charles II that he was going “to hell, to fetch back Oliver Cromwell, that he may take some care of the affairs of England, for his successor takes none at all”—and a brilliant wit. But his fitness for

acting as a censor of stage morals, and for providing, to recall the words of his own theatrical patent, “ innocent and harmless diversion ” to his Majesty’s subjects, may be measured by the single fact that the Venetians, no squeamish community in 1650, desired Charles to remove him from his post of Resident at Venice for the sake of the morals of their city. It is unnecessary to repeat how fully the condition of the English drama under Killigrew’s care justified Lord Chesterfield’s later forecast of what would ensue from laying the stage under an arbitrary Court licence, if the Crown chanced to be surrounded by licentious courtiers. “ You will make it a canal,” he declared, for “ conveying their vices and follies through the whole kingdom.”

What happened if a dramatist were venturesome enough to criticise the Court is told for us by Pepys, in his own imitable manner ; and the crowded state of the house which he describes on witness-

ing the new play is noticeable as showing that public feeling was with the author.

"April 15, 1667. To the King's house by chance, where a new play: So full as I never saw it; I forced to stand all the while close to the very door till I took cold, and many people went away for want of room. The King, the Queen, and Duke of York and Duchess, there and all the Court and Sir W. Coventry. The play called *The Change of Crownes*; a play of Ned Howard's [younger son of the first Earl of Berkshire and brother-in-law to Dryden], the best that ever I saw at that house, being a great play and serious; only Lacy did act the country gentlemen come up to Court, who do abuse the Court with all imaginable wit and plainness about selling of places, and doing everything for money. The play took very much. . . . April 16th. Home to dinner, and in haste to take my wife to see the new play I saw yesterday, she not knowing it. But there, contrary to expectation, find *The Silent Woman*.

However in ; and there Knipp [a well-known actress] come into the pit. I took her to me, and here we met with Mrs. Horsley the pretty woman—an acquaintance of Mercer's whose house is burnt. Knipp tells me the King was so angry at the liberty taken by Lacy's part to abuse him to his face, that he demanded they should act no more, till Mohun [the actor] went and got leave for them to act again, but not this play. The King mighty angry ; and it was bitter indeed, but very fine and witty.”

So ineffectual was the system of stage licensing by a Court official, that it could not even succeed in protecting the Court itself from insult.

Public opinion, after some twenty years of Killigrew's reign, at last arose to censor the Censor ; being aroused, or, as Mr. Archer puts it, perhaps merely expressed, by Jeremy Collier's celebrated diatribe published in 1698, entitled “A Short View of the Profaneness and Immorality of the

English Stage." Collier's remark in his preface that "to compliment Vice is but one remove from worshipping the Devil," would lead his readers to expect some honest hard hitting ; his attack met with popular approval ; and coming into the hands of the grave Dutchman then on the throne as King William III, his Majesty not only "entirely coincided with its principles," but further distinguished the author with special favour. Thus the new Court and the country, between them, effected some measure of reformation, and as an old and sympathetic historian of the stage observes : "Indecency ceased to be considered as wit, and of course became less fashionable ; and by degrees the fair sex began to fill the boxes on the first representation of a new comedy without fear of offence or apprehension of censure." For, for some time, ladies had been afraid of appearing "bare-faced" on the first night of a comedy ; that is to say, the seventeenth-century mask played the protecting part of the eighteenth-

century fan. When we remember the liberty of speech and manners enjoyed by the “fair sex” in 1680, we can in some measure realise the infamous nature of performances to which even their robust taste compelled them to come masked.

What part the Master of the Revels took in this partial cleansing of the stage is, unfortunately, as yet obscure ; but that the improvement was due in part to his action is asserted by the afore-mentioned eighteenth-century author ; and the close relations of the Revel’s office, with the Court, makes it highly probable that King William’s Censor acted in accordance with his Majesty’s temper. According to the said author, the Master, however, let his new-found zeal get considerably ahead of his discretion, assisting Collier’s reformation “with a severity, injustice, and ignorance equally disgusting, vexatious, and ridiculous.” He would, it seems, “strike out whole scenes of a vicious or immoral character, though obviously brought for-

ward only to be reformed or punished" ; one sentence " would sometimes damn a whole scene, to the ruin of the whole piece " ; and, finally, " the most ridiculous exertion of his power was shown in the case of Cibber's excellent alteration of *Richard III*, out of which he cut at one sweep the whole act." The rest of this Shakespearian incident may well be told in Kirkman's own words, writing some forty days after the occurrence : " Cibber applied for the small indulgence of one or two of the inoffensive scenes, in order (to use his own words) ' that the other four acts might limp on with a little less absurdity.' No ; it would not do. The Master of the Revels *had not* leisure to consider what might be separately inoffensive—he had an objection to the whole act—and for what reason ? why, truly, that the distresses of King Henry VI, who is killed by Richard in the first act, would put people too much in mind of King James, then living in France. *Risum teneatis !* We should be inclined to dis-

believe this anecdote, if it did not stand on high authority."

The political activities of King William's censor, not content with finding inflammatory matter in Shakespeare, were further exercised on Dryden, his prologue to *The Prophetess* being forbidden at a time when the king was fighting in Ireland, on account of some "familiar metaphorical sneers at the Revolution" which it was supposed to contain.

The history of stage government during the first twenty years of the eighteenth century unfortunately as yet rests chiefly on the not too reputable authority of Colley Cibber, that notorious actor, dramatist, mangler of Shakespeare, theatrical manager, and poet-laureate, who stands for ever pilloried as the hero of Pope's *Dunciad*. When the full history of dramatic licensing is written it will doubtless be found possible to base an account of this period on documentary evidence. Meanwhile it may be just noted that the Lord Chamberlain is



JOHN DRYDEN.

From a contemporary engraving by Edelinck,
from the painting by Kneller.

declared to have exerted the following powers : the closing of theatres at any moment, such as for six weeks on the death of the sovereign ; arbitration in disputes between actors and managers ; and absolute control over the action of any actor in leaving one patent theatre to join the company performing at the other ; and power to “ silence the whole company and close the theatre ” in punishment of the misdemeanour of one actor—this last, by the way, a perfect appropriation by his Lordship of a well-known law obtaining in many savage communities. An excellent example of this punitive prerogative may be given. Powell the actor being involved in a dispute at Wills’ Coffee-house, about Playhouse affairs, struck “ a Gentleman whose Family had been for some time Masters of it.” A complaint was sent, in the absence of the Lord Chamberlain, to the Vice-chamberlain, Powell, it should be observed, having a part in the play billed for performance on the day following.

Thereupon his lordship sent an order “to silence the whole company, and to close the theatre, although it was admitted that the managers had been without cognisance of their actor’s misconduct ! ” The order, according to Cibber’s narrative, was obeyed and remained in force for two or three days, till the Lord Chamberlain was pleased, or advised, to revoke it. It is pleasant to be able to add that an attempt, on the same authority, to imprison another actor, Dogget, for breach of his engagement with the Drury Lane patentees, was met by an application under the Habeas Corpus Act, whereby a discharge was readily obtained.

Four years after the accession of George I the Chamberlain’s office flew at higher game. In 1718 the king had granted a licence for the control of Drury Lane to Sir Richard Steele. Two years later the Duke of Newcastle, then Lord Chamberlain, closed the theatre. Steele was doubly wounded by the injury. The duke had been his friend ; it was by his influence that



SIR RICHARD STEELE.

From a mezzotint by J. Simon, from the painting by Kneller.

Steele had obtained his seat in Parliament ; the financial loss was estimated at £9,800 ; and yet remonstrance was met by callous incivility, and all efforts at redress proved fruitless. Steele addressed a spirited protest to the public, which action he justified in the following words : “ The injury which I have received, great as it is, has nothing in it so painful as that it comes from whence it does. When I complained of it in a private letter to the Chamberlain, he was pleased to send his secretary to me, with a message to forbid me writing, speaking, corresponding, or applying to him in any manner whatsoever. Since he has been pleased to send an English gentleman a banishment from his person and counsels in a style thus royal, I doubt not but the reader will justify me in the method I take to explain the matter to the town.” He concludes his “ explanation ” with some exceedingly plain speech regarding Newcastle : “ But it is apparent the King is grossly and shamefully injured . . . I never

did one act to provoke the attempt, nor does the Lord Chamberlain pretend to assign any direct reason for forfeiture, but openly and wittingly declares that he will ruin Steele . . . the Lord Chamberlain and many others may perhaps have done more for the House of Hanover than I have, but I am the only man in his Majesty's dominions who did all he could." Among the few recorded facts to the credit of Sir Robert Walpole is his intervention, in the following year, on Steele's behalf, by which that master of the English essay and friend of all the wits of our Augustan age, regained his privileges.

Indeed, the censor was peculiarly ill-fated in his dealings with that Augustan age of English literature, the age of Addison and Steele, of Swift and Pope, of Prior and Gay. We have seen how he dealt with "honest Dick Steele," that "very merry spirit," of whose manliness, good humour, generosity, reverence and tenderness for women, admiration, indeed, for all beauty



JOHN GAY.

From a mezzotint by F. Kyte, from the
painting by Aikman.

and goodness, Thackeray has drawn an immortal picture. "We love him," says the great novelist; "he is our friend." That is hardly the portrait of a man to be specially singled out for attack by the keeper of public morals; but to be just to the Lord Chamberlain, we must remember that his office was ever, from the days when he clapped poets into the Tower, three-parts political. And accordingly his next victim of note is John Gay, of whom Pope sang :

Of manners gentle, of affections mild ;
In wit a man ; simplicity a child.

Gay, who to his simplicity added honesty, ventured in his inimitable *Beggar's Opera* certain witty attacks on corrupt politicians. The town did not fail to apply such passages to the notorious methods of Walpole's administration; and accordingly when a sequel, entitled *Polly*, appeared, the Lord Chamberlain insisted on its suppression. The public, it may be added, were very indignant, and "the sale of the printed play put £1,000 into Gay's pocket."

So, to the sometimes distinguished company of the censored was added John Gay, the gentle and happy poet, he who was beloved of Swift and Pope and Arbuthnot—the great Swift dared not open for five days the letter announcing Gay's death, and Pope wrote that then was broken “one of the nearest and longest ties I have ever known”—the melodious singer, in whose verse Thackeray found the fragrance of a violet, and the freshness of a rose.

A few years later, and the wrath of the Minister fell on a greater and yet more fearless enemy of political vice in high places. But the relentless wit and vigour of Henry Fielding, directed against a system of corruption admittedly unparalleled in the history of English politics, called for no less an instrument of suppression than an Act of Parliament. With that Act, suddenly forced through both Houses of Parliament by Walpole's affrighted power, the Master of the Revels vanished, and the Censorship, as at present constituted, came



HENRY FIELDING.

From a pen-and-ink drawing by Hogarth, engraved by Basire.

into being. It will be of interest, therefore, to notice in some detail the new methods by which the corrupt Ministry of George II achieved a complete suppression of effective dramatic comment on current politics, methods, be it observed, still in force for stage control.

Four years previously, in 1734, a first step had been taken, and from honest moral motives, towards legislation for the stage. Sir John Barnard, Lord Mayor and Member of Parliament,

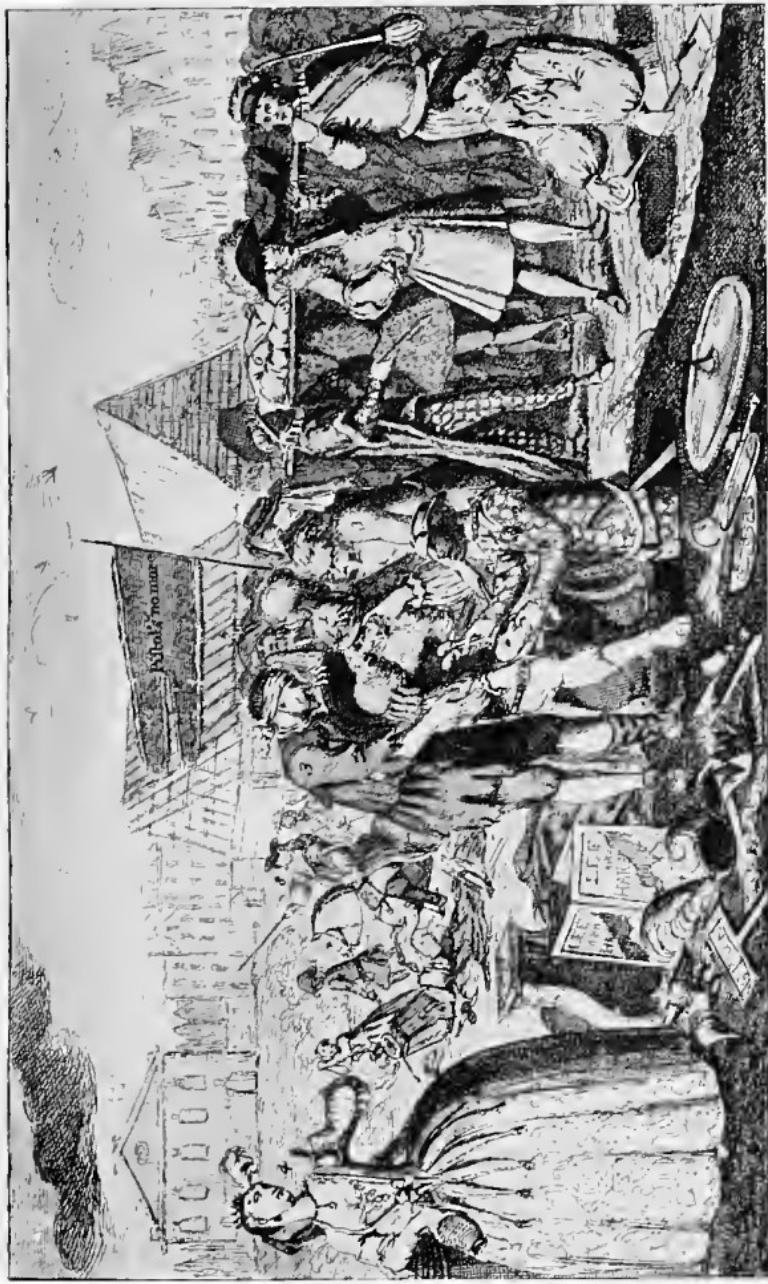
With Quaker's Coat beneath Close Girt about
Full bottom Wig, Gold Chains and Furs without,

introduced a Bill to restrain the number of theatres, and to better regulate the actors. The Bill was supported on the grounds that England was rapidly becoming so frivolous "that now we exceed in Levity our fluttering, fiddling Masters, the *French*"; that it was a national scandal that Italian singers should receive salaries equal to an English judge; and that playhouses cor-

rupted youth, encouraged vice and debauchery, and damaged trade and industry. Aristotle's celebrated view of the drama, as a purifying agent working on the public conscience by the powerful means of terror and pity, did not apparently come within the worthy Quaker's horizon. A contemporary print on this very Bill is here reproduced, showing the victorious knight, riding in triumph over the ruins of the booths of the strolling actors, and pointing to a black cloud which ominously overhangs the theatre in Goodman's Fields. The poor players, attended by Despair and Poverty, are weeping (and drinking).

Forth from the Fair the Hero stalks Dismay'd
Doubtful to take y^e Road, or Learn a Trade.

The corpse of one actor (Theophilus Cibber, Cibber's well-known son) is borne to burial. And the whole is inscribed "The Player's Last Refuge : Or the Strollers in Distress, 1735."



THE PLAYERS' LAST REFUGE; OR, THE STROLLERS IN DISTRESS (1735)

From a rare contemporary print satirising a Bill for restricting theatres and actors.

The ballad appended to the print concludes ironically :

These Are thy Triumphs, thy Exploits, Sr John.'

but in fact, the Bill failed to achieve success, and, oddly enough, was dropped by Barnard on account of a proposed clause for enlarging the Lord Chamberlain's power in licensing plays, a "wanton" jurisdiction of which the good knight openly expressed his disapproval. Walpole had yet to wait three years for obtaining his coveted Parliamentary gag upon the political voice of the stage.

The immediate opportunity for his Act of 1737 was the provocation of two brilliantly successful political plays, written and produced by Henry Fielding, at his Little Theatre in the Haymarket, in the spring and summer seasons of 1736-7. Fielding, together with his lifelong friend the "good" Lord Lyttleton, and the elder Pitt, then rising into fame, was in ardent opposition to Walpole's venial and inglori-

ous dictatorship. For twenty years that astute Minister, jealous of any colleagues, had ruled England with his own corrupt hand, earning by that domination the general ironic nickname of *The Great Man*. A contemporary caricature, here reproduced, indicates public feeling as to the apathy to national honour abroad, and the venial administration at home, which characterised the government of the man who created our modern Censor. “Every man has his price,” was Walpole’s familiar phrase: and in accordance with it he attempted to poison the whole body politic.

By 1736 the country, led by the lofty genius of Pitt and the perfect integrity of Lyttleton, was becoming restive; and Fielding attacked the common enemy with all his ardent nature, his brilliant wit, and the surpassing vigour of his genius. To his generous nature the degradation of the nation by cash bribery was peculiarly revolting; and no less did the ruthless domination of the “Great Man” offend

the chivalrous instinct which may be seen on almost every page of Henry Fielding's writing.

Accordingly, in 1736 he opened the management of the Little Theatre in the Haymarket, by a relentless attack on the bribery and corruption of Walpole, conveyed in a satiric play called *Pasquin*. *Pasquin* immediately captured the town ; its run was almost as long as that of Gay's *Beggar's Opera* ; and the political import of its scenes was even enforced by telling advertisements in the daily papers. In the following year Fielding, flushed with success, followed up his first attack with an exuberant farce called *The Historical Register*, a play containing yet more biting impersonations of the Minister. One of these displayed Walpole in the character of a fiddler, leading a dance of his supporters, whom he had previously well endowed with cash ; but their pockets are full of holes as "the fiddler there knows," and therefore he "intends to make them

dance till all the money is fall'n through, which he will pick up again, and so not lose one halfpenny by his generosity."

This tableau, together with a following curtain-raiser, in which the fall of the Minister was predicted, and he himself was indicated as consoling the solitude of his downfall by getting exceedingly drunk on a third bottle (Walpole's convivial habits were notorious) were the last straw. *The Historical Register* was still in full performance at the end of April 1737; the alleged discovery of a treasonable and profane farce called *The Golden Rump* was announced; and by the end of June the Licensing Act had been introduced, forced through both Houses, and had received the royal assent. By this Act (10 Geo. II., 28), the powers of the Lord Chamberlain over the stage were for the first time established by Statute; legitimate drama was limited to three theatres—Covent Garden, Drury Lane, and the Haymarket; the power of a *preventive censorship* was



SIR ROBERT WALPOLE AS A GREAT MAN ; OR, THE
ENGLISH COLOSSUS (1740).

From a contemporary print satirising Walpole's
despotic administration.

expressly given to the Lord Chamberlain, *i.e.* of prohibiting plays before performance ; and the sending of plays to him for examination fourteen days before performance was enforced, and a penalty of £50, and the loss of the theatre's licence, attached.

So barefaced a political effort to suppress the liberty of the stage (already it might seem sufficiently restricted) did not pass unchallenged. Vehement opposition broke out in the press and in both Houses of Parliament, and in the House of Lords the cause of liberty and genius was advocated by Lord Chesterfield in a speech of extraordinary brilliance and point. Quotation can but suggest the incisive wit, the polished irony, the indignant warmth, of Chesterfield's utterance ; but a few points may be noticed as not yet obsolete in application. Thus, to forbid the acting of a play and yet allow it to be printed at sixpence a copy, is but to ensure a universal sale ; therefore the logical sequel to an Act licensing the stage is an

Act for licensing the press, “and then we may bid adieu to the liberties of Great Britain.” And again: “It is not licentiousness, it is an useful liberty always indulged the stage in a free country that some great men may there meet with just reproof”; while, moreover, it is the audience that will always point the satire and apply words in senses never designed by actor or author. But, allowing that some new restraint were needed on the stage, the power proposed, a power “lodged in the hands of one single man, to judge and determine without any limitation, without any control or appeal,” is a sort of power unknown to our laws, inconsistent with our Constitution. It is “a higher, a more absolute power than we trust even to the King himself; and therefore I must think we ought not to invest any such power in His Majesty’s Lord Chamberlain.” The new authority, moreover, was not only an encroachment on the liberty of the subject, it aimed likewise at an encroachment on

property ; for “ wit, my Lords, is a sort of property ; it is the property of those that have it, and too often the only property they have to depend on. Thank God ! We, my Lords, have a dependence of another kind.” By this Bill wit, declared Chesterfield, is to be heavily taxed, “ it is to be excised . . . and the Lord Chamberlain is to have the honour of being chief-gauger, supervisor, commissioner, judge, and jury ; . . . therefore, my Lords, when I speak against the Bill I must think I plead the cause of Wit, I plead the cause of Humour, I plead the cause of the British Stage, and of every gentleman of taste in the Kingdom.”

It is to Chesterfield’s enduring honour that he thus ranged himself on the side of freedom, of genius, and of wit ; and in perhaps the noblest passage of the speech he championed the threatened liberty of the poor player, no less than that of “ every man of taste ” in the kingdom : “ If Poets and Players are

to be restrained, let them be restrained as other Subjects are, by the known Laws of their Country : if they offend, let them be tried, as every *Englishman* ought to be, by God and their Country. Do not let us subject them to the Arbitrary Will and Pleasure of any one Man."

Chesterfield's eloquence fell on apathetic ears. Walpole's corrupt political power gained the day ; and by the Licensing Bill of 1737 the arbitrary powers which the Star Chamber, the Privy Council, the " Ordinary," the Lord Mayor, the Master of the Revels, and the King in person, had, for two hundred years, exercised over poets and actors were, formally, and by Act of Parliament, transferred into the hands of one irresponsible official.

CHAPTER IV

THE ACT IN OPERATION

Is it for a poet to demand a licenser's reason for his proceedings? Is he not rather to acquiesce in the decision of authority, and conclude that there are reasons which he cannot comprehend?—DR. JOHNSON ON LICENSERS OF THE STAGE.

A FRENCHMAN visiting England, at the time when Walpole's Licensing Act was forced upon the country, has left some lively sketches of the popular reception accorded to that measure. The English temper, as Dr. Johnson pointed out in his ironic pamphlet on the Act, is a temper singularly impatient of arbitrary restraint; nor can Englishmen “be brought to imagine that they are kept in the dark lest too much light should hurt their eyes.” Certainly the gallery and pit of 1738 objected, with no uncertain voice, to having their eyes protected by a venial political party.

Accordingly the French Abbé declares

that Walpole's measure provoked a "universal murmur in the nation"; at the coffee-houses it was denounced as "unjust and contrary to the liberties of the people of England"; and the first piece presented under the new authority was furiously damned, the audience having determined to silence "the first fruits of that Act of Parliament." It is thus that the Abbé, who was present at the performance, sketches the scene: "The best play in the world would not have succeeded that night. There was a disposition to damn whatever might appear. The farce in question was damned indeed, without the least compassion. Nor was that all, for the actors were driven off the stage, and lucky was it for the author that he did not fall into the hands of the furious assembly." This was in January, and in October the Lord Chamberlain's new powers seem fairly to have gone to his head, for we find him attempting to enforce a "licensed" play, by placing on the stage two

files of grenadiers with fixed bayonets. The account of this result of subjecting players to "the arbitrary will and pleasure of any one man" deserves quotation in full. The Lord Chamberlain had closed the Little Theatre in the Haymarket against English actors, but had granted a licence to a French Company: "A Comedy called *L'Embarras de Richesses* was announced for representation 'by authority.' The house was crowded immediately after the opening of the doors. But the audience soon gave evidence of their sentiments by singing in chorus 'The Roast Beef of Old England' [which song, by the way, was written by Henry Fielding]. Then followed loud huzzas and general tumult." Sir Thomas de Veil, a Justice of the Peace for Westminster, who was present, declared the proceedings to be riotous, and stated that it was the King's command that the play should be acted, and that all offenders should be immediately secured by the guards in waiting. On the other hand, the

legal right of the audience was maintained ‘to show their dislike to any play or actor.’ When the curtain drew up the actors were discovered “standing between two files of grenadiers, with their bayonets fixed and resting on their firelocks. This seeming endeavour to secure the success of French acting by the aid of British bayonets still more infuriated the audience. Even Justice Deveil [De Veil] thought it prudent to order the withdrawal of the military. The actors attempted to speak, but their voices were overborne by hisses, groans, and ‘not only catcalls, but all the various portable instruments that could make a disagreeable noise.’ A dance was next essayed ; but even this had been provided against : showers of peas descended upon the stage, and ‘made capering very unsafe.’ The French and Spanish Ambassadors, with their ladies, who had occupied the stage box, now withdrew, only to be insulted outside the theatre by the mob, who cut the traces of their carriages. The

curtain at last fell, and the attempt to present French plays at the Haymarket was abandoned, ‘the public being justly indignant that whilst an arbitrary Act suppressed native talent, foreign adventurers should be patronised and encouraged.’ ”

After this striking attempt to produce plays “by authority,” the Haymarket remained without a licence for twenty years, and many were the ingenious stratagems by which Cibber, Macklin, and that inimitable humourist and mimic, Foote, circumvented the Lord Chamberlain. Cibber named the theatre his “Academy.” Macklin insinuated performances under the guise of lessons in the dramatic art. And Foote, with a sublime effrontery, invited his “friends” to attend the theatre and “drink a dish of chocolate with him.” He promised that the morning should be as diverting as possible, and announced that “Sir Dilbury Diddle would be there and Lady Betty Frisk has absolutely promised.” While the chocolate was preparing Foote

gave his dramatic entertainment, to which, of course, admittance was only gained by tickets privately issued. Finally he obtained a licence for a theatre, as compensation for a broken leg, got in an equestrian frolic with a royal Duke, and the Hay-market was once more legally opened.

How keenly the monopolists of the "patent theatres" resented any attempt to infringe on their licences for legitimate drama appears from the action taken against a small house licensed for such exhibitions of music, dancing, etc., as were held to be without the jurisdiction of the Act. On this "outside" stage an unlucky clown uttered the words "Roast Beef!" in a Christmas pantomime. By pronouncing those two words, not accompanied by music, he had, it appeared, constituted himself an actor of an unlicensed stage play in an unlicensed theatre; and he was committed to prison.

To return to the first exercise of the Lord Chamberlain's new-found powers in the

matter of licensing plays, his actions in this field were little less arbitrary than when he placed files of British grenadiers on the stage of the Haymarket. The new Act, we may recall, invested the Lord Chamberlain with absolute power to suppress the whole, or any part, of a play, prologue, or epilogue, the same to be submitted to him fourteen days before the proposed performance ; and imposed a penalty of £50 for any breach of his orders. At the date when the Act became law, 1737, the post of Lord Chamberlain was held by the Duke of Grafton ; a Licenser of Plays, Mr. William Chetwynd, was duly sworn in, under his Grace's authority, at a salary of £400 per annum ; and, further, a deputy's deputy was appointed, one Thomas Odell, at a salary of £200 a year. Odell, it is interesting to note, was an unsuccessful theatrical manager.

The first act of this informally appointed tribunal (for the Act made no mention of any deputies under the Lord Chamberlain)

was to prohibit Henry Brooke's tragedy of *Gustavas Vasa*, because, says Geneste, the historian of the stage, "there was a good deal in it about liberty." As in the case of the riotous Haymarket audience, the public promptly intervened, and bought up copies of the prescribed play, until over £1,000 passed into the author's pocket. As Lord Chesterfield observed, "People are always fond of what is forbidden . . . your prohibition will prove a bellows, which will blow up the fire you intend to extinguish." This barefaced political move on the part of the Licenser was the opportunity for Dr. Johnson's fine pamphlet, directed equally against Walpole's administration in general, and the tyranny of the Stage Licensing Act in particular, published anonymously in 1739, under the ironic title of "*A Complete Vindication of the Licensers of the Stage from the malicious and scandalous Assertions of Mr. Brooke.*" Brooke, it seems, had complained of the detention of his play by the Lord Chamberlain for twenty-one days

(fourteen being the statutory limit). What insolence ! cries the ironic Johnson. "Let the poets remember, when they appear before the licenser or his deputy, that they stand at the tribunal from which there is no appeal permitted, and where nothing will so well become them as reverence and submission." Again Brooke demanded the reasons of the prohibition ; but Johnson explains that the very intention of the new Act is to empower the Lord Chamberlain "to do that *without* reason, which with reason he could do before." Certainly the previous Tudor and Jacobean patents had not erred on the side of limiting the powers accorded to the regulators of the stage.

The Censor, ever fated to fall upon the most notoriously gentle and innocent of poets, next prohibited the tragedy of *Edward and Eleanora* by James Thomson, author of *The Seasons*, the delicate singer of rural England, the bland and benevolent poet, with whom "some of our best and

purest associations are indissolubly joined.” Again the cause was purely political, Thomson having attached himself to the Opposition ; but, so dangerous was this tragedy considered that a friend of the poet, who had *copied out* the forbidden work, found a drama of his own prohibited “ for no better reason than that it was in the same handwriting as that incendiary production.” It is surmised, however, that the latter also contained “ a good deal about liberty.”

Following on the prohibition of *Edward and Eleanora* came that of the excellent comedy entitled *The Man of the World*, by the well-known actor Charles Macklin. The Lord Chamberlain, or rather his deputy Capell, refused to license this play, on the ground that it attacked too bitterly the Scottish character ; and moreover declined to give it up. Macklin’s masterpiece remained in the Licenser’s office for ten years, and was at last recovered only by the application of some eminent lawyers.



JAMES THOMSON

From a contemporary engraving of a painting by Aikman.

Macklin stated his grievances with temperate force, in a letter to the authorities, contending that his play was in favour of virtue, morality, decency, and the laws of the land ; and that the Lord Chamberlain should have specified the passages to which he found objection. Macklin also pointed out that the play had been performed many times in Ireland, “ under the immediate patronage and with the full approbation of the Lord-Lieutenant.” Thus do the arbitrary judgments of great men differ ; a comedy forbidden by a Court official in England meeting with applause and encouragement from a yet loftier Court official in Ireland.

The Censorship again became notable in the prohibition of Foote’s famous *Trip to Calais*. Foote had unwisely made it known that this piece would include an attack on the notorious Duchess of Kingston, under the name of Lady Crocodile, and the influence of the duchess secured the prohibition of the play.

With some semblance of reason, or at least with possibly justifiable feeling, *King Lear* was prohibited during the insanity of George III. At this time Mr. John Larpent was acting as Examiner of Plays, having received the appointment in 1778, from the then Lord Chamberlain, the Marquis of Hertford; and as Larpent's reign lasted until 1824 it is with his name that the quite remarkable record of our modern Censors may be said to begin.

CHAPTER V

1807—1907

I am at a loss to know what we have gained by the grant of this almost unconstitutional power.—*LORD LYTTON, speaking in the House of Commons, in 1832, on the censorship of the stage.*

FOR all practical purposes our modern efforts at the “ purging ” of plays begin, as has been said, with the activities of Mr. John Larpent, who held the post of Examiner of Plays, until his death in 1824. Early in his dictatorship Larpent showed himself to be careful in preserving the Censor’s ancient character for political vigilance, by prohibiting a comedy called *The Whim*, written by Lady Eglantine Wallace, for production at Margate in aid of a charitable object. One of the scenes of *The Whim* contained an allusion to the notorious success, at Court, of elderly ladies,

described in the dialogue as the “fat forties of fashion.” This put the Licensor on the horns of a dilemma. The reference was too pointed for allowance by the deputy of the Lord Chamberlain of the Household; but to strike it out would have been equal to allowing the force of the application. Faced by these painful alternatives, Mr. Larpent’s tact seems to have deserted him, and he dashed at extrication by condemning the whole piece. His decision was, however, made so late that the day of performance had arrived; the house was already full to overflowing; and the curtain was about to rise, when the licensor’s veto arrived, just in time to save the morals of Margate from the contamination of listening to a satiric condemnation of the royal taste for favourites who had attained to the “fat forties.” Having thus insisted on due respect being accorded to these ladies, Larpent proceeded to equally strenuous measures on behalf of a sect of which he himself was a



THEODORE HOOK.
From a contemporary engraving.

shining light,—that of the then almost recently founded Methodists.

The Licenser was not only a rigid Methodist himself, but had built a Methodist “tabernacle” of his own. It may be readily understood, therefore, that when, in 1809, Theodore Hook sent up his farce, *Killing no Murder*, in which the humourist endeavoured, to use his own words, “without touching indelicately on the subject,” to raise a laugh at the Methodist secular preachers, the passage was promptly excised. Hook, who was then but a lad of twenty-one, determined personally to beard the Licenser, and his own account of the adventure is worthy of quotation: “I set off in search of the gentleman who had strangled my literary infant in his birth, and to find him I referred to the ‘Red Book,’ when I discovered that John Larpent, Esq., was *clerk* at the Privy Seal Office, that John Larpent, Esq., was *deputy* to John Larpent, Esq., and that the *deputy’s secretary* was John Larpent, Esq. This proved to me

that a man could be in three places at once ; but on inquiry I found that he was even in a fourth and fifth ; for it was by virtue of none of these offices that he licensed plays, and his place, viz. his villa, was at Putney. Thither I proceeded in a post-chaise in search of this ubiquitarian deputy, and there I found him. After a reasonable delay, to beget an awful attention on my part, he appeared."

Larpent naturally objected to the ridicule of Methodism ; but he also made the noteworthy observation that "*Government did not wish the Methodists to be ridiculed.*" Hook diplomatically submitted, and thus obtained a licence for his play, duly "purg'd" of the obnoxious passage. But when the crowded houses heard the farce, the Censor's action having of course advertised the performance better than "a dozen newspaper paragraphs," they found to their delight that the excised lines were replaced by a lampoon on that official himself. Hook's debt, moreover, to the Licenser

went farther than the securing of applauding audiences ; for when the farce was printed, with the excised matter introduced separately at the end, half a dozen editions were speedily exhausted.

In illustration of the wisdom of appointing a Methodist to the office of deputy-licenser of plays, it may be recalled that the congregation at Rowland Hill's chapel were congratulated from the pulpit on the destruction by fire of Covent Garden Theatre, and the consequent deaths of a score of firemen were noticed as a proof of the wisdom of Providence, in these words : “ Great news, my brethren, great news ! A great triumph has taken place over the devil and the stage-players. A fire in one of their houses ! O, may there be one consumed every year ! It is my fervent prayer.”

Larpent, in common with other Examiners of Plays, was lacking in a sense of humour ; which lack, coupled with a zeal for the ‘ sanctities of private life,’ led him

to object to the word "gammon" in a farce by T. Morton, "because he had a friend in Hampshire of that name," whose feelings might be hurt if it were taken in vain upon the stage. The end of Larpent's period in office was marked by the extraordinary proceeding of selling, at his death, by public auction, the copies of plays, etc., found in his possession. The collection is stated to have included official copies of all the dramas read for the purpose of recommending them to the licence of the Lord Chamberlain, as well as copies of all those pieces which had been inspected by his predecessors from 1737; and consisted of between two and three thousand dramas, many of which never appeared in print.

Very much as Tom Killigrew, the "licenser" of Restoration comedies for Charles II, succeeded to the Puritanical authorities of the Commonwealth, so George Colman, boon companion of George IV, was the successor of the rigid Methodist

Censor of the preceding reign. No appointment, not even that of Killigrew or D'Avenant by Charles II, is so instructive as this of George Colman the younger (as he was called, to distinguish him from his quite reputable father) to the post of Examiner of Plays. Colman was early removed from Oxford for "irregularities"; married an actress at Gretna Green when he was twenty-two; wrote comedies, farces, and comic poems (the latter published under the title of *Broad Grins*) which were conspicuous for "paying small heed to the respectabilities," and were sometimes "extravagantly indecent"; was manager of the Haymarket Theatre, which theatre he directed while imprisoned within the Rules of the King's Bench, for debt; made frequent sorties from his confinement, including one by arrangement of the Duke of York, for enabling him to dine at Carlton House to meet his "old playfellow" George IV, with whom he took "some comical liberties"; and was

appointed Examiner of Plays: this appointment, it should be noticed, being made, not under the frankly unconstitutional methods of stage regulation appropriate to Tudor and Jacobean days, but by virtue of an Act of Parliament. For the Examiner's authority, irregular as it might be when placed in the hands of deputies, was of course derived from the now constitutional powers vested in the Lord Chamberlain.

If George IV and his Court expected that the elasticity of Colman's personal habits would induce him to add to the gaiety of the stage, by according equally elastic licences, they greatly mistook their man. As he himself admitted, Colman the dramatist was a "careless and immoral" author. Colman the Examiner was a totally different being. One of the earliest of his acts was to prohibit a historical tragedy called *Alasco*, written by that "artist of retired and studious habits," afterwards the courtly President of the Royal Academy,

Sir Martin Shee. The tragedy, being on a Polish subject, contained lines on patriotism, tolerance, and freedom, such as

Whate'er the colour of his creed
The man of honour's orthodox,

and

But shall I reverence pride, and lust, and rapine ?
No !

and other passages, all of which were expunged, in a rage of red ink, especially the following :

Now,
Our private injuries yield to public wrong
The avenging sword ; we strike but for our country.

Sir Martin had the courage and energy to pillory the Examiner by printing his play with the excised passages in italics, and suitable footnotes appended. The comment, for instance, on the last passage quoted is that ‘our judicious censor’ apparently considered private vengeance to be a nobler motive for drawing the sword than public wrong, and that when we strike it should be for ourselves and not for our country !

Finally Shee declared that he should relinquish drama for his own branch of art, for in that there is no Censorship. The artist "may paint the Saracen's Head without being thought personal to the Grand Turk."

Nor was Colman less careful to expurgate the language of the stage. He disallowed the use of the word "angel" in love-making; an angel, he said, "was a character in Scripture, and not to be profaned on the stage by being applied to a woman." A *damn* was "a pill he could never swallow," which may account, says his biographer, for the continual stream of oaths which flowed from his own mouth. Plays came back from the Examiner's office "slashed with red ink"; and the critics took to searching through Colman's dramatic writings and cataloguing the bad language they contained. The list, we are told, was extremely formidable. The precarious circumstances of the Examiner naturally led him to pay great attention

to the subject of fees. Even a new song on a benefit night was made the occasion for demanding a fresh £2 2s.; an astronomical lecture delivered at the Lyceum was successfully rated as a stage-play; and an attempt was made to levy a fee on an Oratorio performed at Covent Garden. This, however, failed, for, as the libretto was proved to consist entirely of passages from the Scriptures, it was ultimately decided, after much discussion, that the Bible did not need the licence of the Lord Chamberlain's deputy, George Colman.

But perhaps the greatest stroke of irony exhibited in Colman's administration was his prohibition of a tragedy by Miss Mitford. The very name of Mary Russell Mitford is still a household word for some of the most exquisite and delicate pictures of English rural life and of English country scenes contained in our language; indeed, for some modern tastes, the restraint and fineness of her pen amounts to a blemish.

The enduring perfection of those rural

tales and sketches has completely overshadowed Miss Mitford's contemporary fame as a successful playwright ; we have forgotten *Rienzi*, the *Foscari*, and *Julian* in our affection for the village dramas enacted round the cottage at Three Mile Cross ; but to the public of 1825 the official suppression of the tragedy of *King Charles the First* must have seemed nothing short of official mockery. The play, written at the suggestion of Macready and Charles Kemble, was entirely prohibited by the Licensor on the score of the "title and subject." The pen of a Swift or a Junius was needed to comment adequately on the fact of a work by the author of *Our Village* being forbidden by the author of *Broad Grins*.

With this final exploit we may leave the record of Colman's licensing activities. But details which have been preserved regarding his views on the enforcing of his judgments form an extremely instructive item in the history of the censorship as now constituted. His duty, he averred, was simply to object,



MARY RUSSELL MITFORD.

From the portrait by Lucas.

not to execute those objections, “or an Examiner would become a spy as well as a Censor on the stage.” The pencil of the Censor created an offence at law; the putting the law into effect was not within his jurisdiction. How this theory worked out, at least in such hands as George Colman’s, appears quite clearly from a letter written by him to Frederick Yates in 1829. A dramatic author, and mutual friend both of Colman and Yates, had complained bitterly of the Examiner’s retrenchments, stating that “his comedy would be sure to be damned by the public, owing to the removal of some devilish good jokes by the Examiner.” “Cannot you, my dear Fred, instruct him better?” wrote Colman. “The play, you know, must be printed in strict accordance with my obliterations; but if the parts be previously given out, it will be difficult to induce the actors to preach from my text!” No doubt, adds Mr. Dutton Cook, when recalling the incident, “upon this hint the

actors spake. Only, in that case, of what good was the Examiner, regarded as a public servant?

On the death of George Colman, the office of Examiner of Plays devolved successively on Charles and John Kemble; and on the death, in 1857, of the latter, Mr. W. B. Donne took office, the events of his administration including the important Parliamentary Committee of 1866. A previous committee, sitting in 1832, had dealt with the licensing of theatres; and a committee of 1853 is chiefly memorable for the suppression of the *Dame aux Camélias*, as being, in the Censor's opinion, "not very desirable." In 1843 was passed the Act for regulating theatres, commonly known as Sir James Graham's Act. By this measure, which is still in force, the long-vexed question of fees is settled, a fee being made legal, provided it never exceeds £2 2s. in amount; also the Lord Chamberlain is empowered by law to stop any dramatic performance whenever, and wher-

ever, and for as long, as he shall think fit ; plays are to be sent in, seven instead of fourteen days before performance ; no mention is made of an Examiner, that official continuing to be a creation of the Lord Chamberlain, “without any sort of legal status” ; the relative limits of the powers of the Lord Chamberlain and of Justices of the Peace in licensing theatres are defined ; and the Licensing Act of 1737 is absolutely repealed. This Act, as Mr. Cook points out, provides for no appeal against the Lord Chamberlain’s decision : “ If he chose to prohibit the performance of Shakespeare’s plays, for instance, no one could question his right to take that strong measure ; only another Act of Parliament could restore Shakespeare to the stage.”

The evidence given before the Select Committee of 1866 constitutes one of the most important of recent documents on the stage censorship. Space forbids any lengthy quotations from the “ Report,” but the light thrown by the then Censor, Mr. W.

Bodham Donne, on his view concerning the office and the stage, and the remarks of a few other witnesses, may be noticed. We find Mr. Donne fully aware of the difficulty of purging the "action" of a play, however stringently his pencil might have corrected the "book." Pantomimes were notorious offenders in this respect ; and the Censor endeavoured to check the abuse by ordering that all pantomimic business be written down and submitted to him. Thus, "when Harlequin dances with Columbine" was to be stated in black and white ; the fact apparently being overlooked that the nature of Harlequin's nightly dance, and not the moment of his entry, constituted the jist of the matter. Donne further explained that he drew his pen "through anything in the shape of an oath, anything which turns religion into ridicule, and any political joke." Accordingly the pernicious line, "May Gladstone keep his temper," was expunged from a topical song ; and the expression in one of Mr. W. S.

Gilbert's plays of "Chambers fit for a Lord" was carefully altered by the Censor's sensitive pencil into "Chambers fit for a Heaven." Truly the reasoning powers of ordinary mortals are not fitted to withstand the intoxication of absolute power ; placed in this position, their intentions, as often results from a brain unduly exhilarated, are admirable, while their actions provide matter for an excellent jest-book. The most remarkable example of such a confused intelligence, or, as Mr. Archer suggests, of a "divine innocence" seldom found in men of affairs, is Mr. Donne's statement that in his opinion "*double entendre* is a species of wit that is very nearly extinct." The equivalent, in 1866, of the modern Music Hall sketch, must have flourished exceedingly under a Censor dowered with so happy an obtuseness.

The evidence of Mr. Buckstone notices the suppression, in 1846, of a political drama representing Lord John Russell ; but mentions that an impersonation of Daniel

O'Connell by the elder Mathews was permitted, possibly, the speaker suggested, "because it was so very funny." Would another Censor, one wonders, sanction a verbatim translation of the whole of Aristophanes, with appropriate action, as being "so very funny"?

The celebrated novelist Charles Reade gave his opinion that the present censorship would be satisfactory if accompanied with a right of appeal, probably to the Home Secretary; and Mr. Shirley Brookes described his delightful encounter with the Censor, over a dramatisation of *Coningsby*. Everything therein suggestive of class antagonism was deleted; something might be construed as an allusion to some family in Shropshire; and Mr. Holloway's ointment was not to be referred to as Mr. Holloway's ointment because, really, Mr. Holloway was an industrious tradesman and employed a good many people. These comments, it is interesting to note, were made to Mr. Brookes, with great courtesy, by the Lord



EDWARD GARNETT.

From a photograph by Marie Léon.

Chamberlain in person. Finally, we must not omit Mr. Boucicault's description of the power of the reigning censor as like that of "the presence of a lady at a dinner-table of gentlemen, to control in a delicate way the subjects spoken of."

From 1866 to 1907 few incidents have occurred of importance or, at least, of novelty in the history of the Stage Censor, with the exception of the notable protest signed by seventy-five men of letters against the continued existence of the censorship as now constituted, and published on October 29, 1907. This protest was preceded by the prohibition of Mr. Edward Garnett's play, entitled *The Breaking Point*; and was closely followed by a second prohibition in the same autumn, that of Mr. Granville Barker's *Waste*. A copy of this letter, and of the signatures appended, will be found in an appendix.

Among less important recent events, the contradictions to which irresponsible power is liable are, perhaps, well illustrated

in the forbidding, in 1886, of Shelley's masterpiece, the *Cenci*, and the sanctioning, a few years previously, 'of Sardou's *Divorçons*, estimated by Mr. William Archer as "one of the most unblushingly indecent of French light comedies." In the same connection may be noticed the constant licensing of pieces described by Sir Francis Burnand as "immoralities in three acts." As far back as 1866, indeed, in the evidence before the Select Committee of that year, the omissions of the Censor were a subject of comment by Mr. Hollingshead. Thus he gave an instance of a licensed drama then playing at the Adelphi which was offensive in action, full of vulgarities in dialogue, had a most objectionable Holywell Street title, and "ended with a parody of the Judgment of Solomon."

In 1892 a Select Committee was appointed, on *Theatres and Places of Entertainment*. The evidence tendered included leading theatrical opinion on the question of the present Censorship of plays, and

on some alternatives ; but no action resulted, save a clause in the Report, expressing approval of the present arrangement and a desire to see it extended to music-halls and other places of public entertainment.

As an illustration of the extent of public feeling on the commissions and omissions of the Censor it may be noticed that, ten years later, our oldest literary journal, the *Athenæum*, fell thus furiously upon the Censor, on the occasion of the prohibition, in 1902, of *Monna Vanna* : “ It will grieve the lovers of all arts, but astonish no one accustomed to the ineptitudes of the censure,” wrote the *Athenæum*, on June 21 of that year, “ to learn that the *Monna Vanna* of M. Maurice Maeterlinck has had to be confined to a private entertainment, [while] the last Palais Royal obscenity is allowed to be given in an English translation. . . . Once more the caprice of our censure brings contempt upon us, and makes us the laughing-stock of Europe.”

One other recent incident, stands out as illustrating forcibly the unique secrecy of the Censor's jurisdiction, a secrecy perfectly fitting an authority which, as we have seen, can claim direct descent from the Star Chamber. The case was that of a play called *A Novel Reader*, by Messrs. Sydney Grundy and Joseph Mackay, which in 1878 was refused a licence. The authors wrote to the Censor, requesting to know what passages had offended. They were informed that that official could only communicate with dramatists through a manager, a message which recalls the orders addressed, by the Elizabethan Censor, to players, to bring before him their "playmakers." The attitude of the Office towards the mere maker of plays seems to have remained constant for three hundred years. The manager in question accordingly called at St. James's, was courteously received, and the offensive passages were pointed out to him "*under the seal of the strictest confidence.*"

There is no compulsion on the Censor to give reasons for his decisions; as Dr. Johnson observed in his pamphlet written on the occasion of the prohibition of Henry Brooke's tragedy, when a like complaint was made by that unhappy author, "The committee by which the Act for licensing the stage was drawn up had too long known the inconvenience of giving reasons, and were too well acquainted with the characters of great men, to lay the Lord Chamberlain, or his deputy, under any such tormenting obligation."

The Censorship provisions drawn up in 1737 by that very committee so pungently described by Dr. Johnson, are still, by virtue of the re-enactment of 1843, in force. Thus the dramatic author of 1907 finds himself under an authority derived, with little change, from the personal autocracy, the Privy Councils, and the Star Chamber of Tudor kings, an authority legalised and defined for political ends by a corrupt Minister of George II, still unaltered and

uncontrolled, “the one irresponsible and secret tribunal in the land,” the authority, in a word, of that unique historical curiosity, the Stage Censor.



GRANVILLE BARKER.

From a photograph by Marie Léon.

APPENDIX

THE following letter, signed by seventy-one well-known authors and playwrights, was published in the *Times* and other papers on Oct. 29, 1907.

“ SIR,—The Prime Minister has consented to receive during next month a deputation from the following dramatic authors on the subject of the Censorship of Plays. In the meantime, they desire to enter a formal protest against this office, which was instituted for political, and not for the so-called moral ends to which it is perverted ; an office autocratic in procedure, opposed to the spirit of the Constitution, contrary to common justice and to common sense.

“ They protest against the power lodged in the hands of a single official, who judges without a public hearing, and against whose dictum there is no appeal, to cast a slur on the good name and

destroy the means of livelihood of any member of an honourable calling.

“ They assert that the Censorship has not been exercised in the interests of morality, but has tended to lower the dramatic tone by appearing to relieve the public of the duty of moral judgment.

“ They ask to be freed from the menace hanging over every dramatist, of having his work and the proceeds of his work destroyed at a pen’s stroke by the arbitrary action of a single official, neither responsible to Parliament nor amenable to law.

“ They ask that their art be placed on the same footing as every other art.

“ They ask that they themselves be placed in the position enjoyed under the law by every other citizen.

“ To these ends, they claim that the licensing of plays shall be abolished. The public is already sufficiently assured against managerial misconduct by the present yearly licensing of theatres, which remains untouched by the measure of justice here demanded.”

George Bancroft.

H. Granville Barker.

J. M. Barrie.

Florence Bell.

Laurence Binyon.

Gilbert Cannon.

- | | |
|----------------------|-------------------------|
| Comyns Carr. | Henry James. |
| R. C. Carton. | Henry Arthur Jones. |
| Egerton Castle. | W. W. Jacobs. |
| Haddon Chambers. | W. J. Locke |
| Joseph Conrad. | John Masefield. |
| W. L. Courtney. | Robert Marshall. |
| John Davidson. | A. E. W. Mason. |
| Hubert H. Davies. | W. S. Maugham. |
| H. V. Esmond. | Maarten Maartens. |
| Fredk. Fenn. | Desmond McCarthy. |
| John Galsworthy. | Justin Huntly McCarthy. |
| Edward Garnett. | T. Sturge Moore. |
| W. S. Gilbert. | Arthur Morrison. |
| Cosmo Gordon-Lennox | George Meredith. |
| St. John Hankin. | Gilbert Murray. |
| Robert Harcourt. | John Pollock. |
| Thomas Hardy. | A. W. Pinero. |
| Anthony Hope. | H. M. Paull. |
| Laurence Housman. | (Mrs.) de la Pasture. |
| Maurice Hewlett. | Gilbert Parker. |
| Henry Hamilton. | D. March Phillips. |
| Basil Hood. | Cecil Raleigh. |
| Frederic Harrison. | Elizabeth Robins. |
| E. W. Hornung. | Morley Roberts. |
| Roy Horniman. | Ernest Rhys. |
| E. H. Hudson. | G. Bernard Shaw. |
| Ford Maddox Hueffer. | A. Sutro. |
| Laurence Irving. | |

Appendix

Algernon Charles Swin-	H. A. Vachell.
burne.	H. G. Wells.
Arthur Symons.	Margaret Woods.
J. M. Synge.	Anthony Wharton.
Edward Thomas.	W. B. Yeats.
	I. Zangwill.

